



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,731	12/15/2005	Takuya Sato	282365US90PCT	3732
22850 7590 05/09/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER YOUNG, JANELLE N	
			ART UNIT 2618	PAPER NUMBER
			NOTIFICATION DATE 05/09/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary

Application No.

10/560,731

Applicant(s)

SATO ET AL.

Examiner

Janelle N. Young

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Taketsugu (US Pub 2001/0050909).

As for claim 1, Taketsugu teaches a controller equipment comprising:

a measuring unit configured to measure channel qualities of a control channel and a user channel separated from a received signal (Abstract and Page 4, Para 0062-0063);

an updating unit configured to update target circuit qualities for the control channel and the user channel, based on results of measurement of the channel qualities by the measuring units (Page 2, Para 0033 and Page 4, Para 0059-0060);

a communicating unit configured to communicate, in a predetermined period, the updated target circuit qualities for the control channel and the user channel (Page 4, Para 0055-0062); and

a target circuit quality determining unit configured to determine a target circuit quality for the received signal, based on the target circuit qualities for the

Art Unit: 2618

control channel and the user channel communicated from the communicating unit, so that all of the control channel and the user channel satisfy a required channel quality (Abstract; Page 1, Para 0017-Page 2, Para 0023; and Page 2, Para 0034-Page 3, Para 0041); wherein,

when the channel quality of the control channel satisfies a predetermined condition, the communicating unit is configured to communicate at least the target circuit quality for the control channel to the target circuit quality determining unit; and the target circuit quality determining unit is configured to determine the target circuit quality for the received signal, based on the communicated target circuit quality for the control channel (Abstract and Page 2, Para 0034-Page 3, Para 0041).

As for claim 2, Taketsugu teaches a controller equipment, wherein the communicating unit is configured to compare the channel quality of the control channel with a predetermined threshold in a period shorter than the predetermined period, and to communicate the updated target circuit quality for the control channel to the target circuit quality determining unit based on a result of the comparison (Page 2, Para 0027-0031; Page 4, Para 0058).

As for claim 3, Taketsugu teaches a controller equipment, wherein:

when the channel quality of the control channel satisfies a predetermined condition, the communicating unit is configured to communicate the target circuit qualities for the control channel and the user channel to the target circuit quality determining unit; and the target circuit quality determining unit is configured to

determine the target circuit quality for the received signal, based on the communicated target circuit qualities for the control channel and the user channel (Abstract and Page 2, Para 0034-Page 3, Para 0041).

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Larsen (US Pub 2001/0036810) teaches a method of routing transmissions within a multi-station network, typically between mobile stations in a cellular network utilizing ad hoc or opportunistic message routing.

Pham et al. (US Pub 2003/0068975) teaches a communication systems, and more particularly to an inter-networked communication system containing a dual-powered node.

Ramanathan (US Patent 6594468) teaches a wireless data communication networks and more particularly to such a network which employs mobile wireless stations and which will automatically organize itself for efficient operation.

Toskala et al. (US Patent 6650905) teaches a wireless networks and, more particularly, to power control of a downlink shared channel in the context of downlink transmit diversity.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-

Art Unit: 2618

2836. The examiner can normally be reached on Monday through Friday: 8:30 am through 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JNY

April 29, 2007


NAY MAUNG
SUPERVISORY PATENT EXAMINER